

REMARKS/ARGUMENTS***Status of Claims***

Claims 1-21 are currently pending in this application. Claims 1, 8, 12, and 16 have been amended and new claim 21 has been added.

Applicants hereby request further examination and reconsideration of the presently claimed application.

Response to Prior Art Rejection

Independent claim 1 has been amended to incorporate a limitation of dependent claim 8, namely execution of a command line parameter. Thus, Applicants respectfully submit that claims 1-18 now stand rejected under 35 USC § 103(a) as obvious over *Klein* (US 5,835,763) in view of *Priven* (US 5,327,559) and in further view of *Swartz* (US 6,625,651). Applicants respectfully submit that the art of record does not establish a *prima facie* case of obviousness as to the amended claims. According to MPEP 2142, three basic criteria must be met to establish a *prima facie* case of obviousness:

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

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Applicants respectfully submit that the combination of *Klein*, *Priven*, and *Swartz* is improper, does not teach or suggest all of the claim limitations of the pending claims, or both.

Applicants note with appreciation the Examiner's acknowledgement that *Klein* does not teach using classes to dispatch batch jobs. The use of a class comprising a method to execute the batch job is fundamental to the architecture and functionality of Applicants' claimed invention, and the absence of such an important element cannot be readily dismissed. *Klein* does not teach or suggest the use of a class comprising a method to execute the batch job – in contrast, *Klein* employs a complicated array of threads and queues to achieve an entirely different purpose, namely the conversion of synchronous processing to asynchronous processing. The Examiner points out that *Klein* teaches a method to execute a batch job at col. 11, lines 7-11 and col. 5, lines 49-54, but such a method is employed in the overall thread/queue architecture and in no way relates to using classes to dispatch batch jobs.

Respectfully, the Examiner's reliance on *Priven* does not make up for the deficiencies of the primary reference, *Klein*. Assuming for the sake of argument that *Priven* teaches that it is well known to use object oriented programming with classes and an API to dispatch the batch jobs, such general disclosure does not teach or suggest the specific recited combination in Applicants' claims, nor does it provide the requisite suggestion or motivation to alter the fundamental thread/queue architecture of *Klein* to arrive at Applicants' claimed invention.

Furthermore, the Examiner's reliance on *Swartz* does not make up for the deficiencies of the primary reference, *Klein*, and the secondary reference, *Priven*. Applicants have amended claim 1 to recite "invoking the batch framework according to a predetermined schedule via execution of a command line parameter." The Examiner relies upon col. 4, line 52 of *Swartz* as

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teaching a command line parameter is a Unix shell script and col. 4, line 50 as teaching a command line parameter is a Windows NT batch file. Respectfully, the passages relied upon by the Examiner do not teach or suggest anything regarding a command line parameter, as now recited in the pending claims. In order to show this deficiency more clearly, the following is the entire paragraph of *Swartz* that contains the two lines of underlined text relied upon by the Examiner:

"A representative hardware environment of a preferred embodiment of the present invention is depicted in FIG. 1, which illustrates a typical hardware configuration of a workstation having a central processing unit 110, such as a microprocessor, and a number of other units interconnected via a system bus 112. The workstation shown in FIG. 1 includes Random Access Memory (RAM) 114, Read Only Memory (ROM) 116, an I/O adapter 118 for connecting peripheral devices such as disk storage units 120 to the bus 112, a user interface adapter 122 for connecting a keyboard 124, a mouse 126, a speaker 128, a microphone 132, and/or other user interface devices such as a touch screen (not shown) to the bus 112, communication adapter 134 for connecting the workstation to a communication network (e.g., a data processing network) and a display adapter 136 for connecting the bus 112 to a display device 138. The workstation typically has resident thereon an operating system such as the Microsoft's Windows NT, Windows/95 Operating System (OS), IBM OS/2 operating system, MACOS, or UNIX operating system." (emphasis added)

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As can be seen, this passage is nothing more than standard boilerplate language regarding typical computer hardware. More specifically, the Examiner relies upon the last sentence, which merely identifies common operating systems for computer hardware. This passage does not teach or suggest "invoking the batch framework according to a predetermined schedule via execution of a command line parameter," and certainly not in the context of Applicants pending claims. As noted on page 5, lines 20-21 of the specification, the batch framework provides a simple and consistent command line interface for requesting that a batch job be executed. Furthermore, Applicants have added new claim 21 reciting that the command line parameter comprises a class name, a method name, and one or more method parameters, as described on page 5, lines 16-18 of the specification. The prior art of record certainly does not teach or suggest the specific content of the command line parameter as recited in new claim 21. Given that the combination of *Klein*, *Priven*, and *Swartz* is improper and/or does not teach or suggest each and every limitation of amended claim 1 (e.g., a command line parameter or the content thereof), Applicants respectfully submit that independent claim 1, and claims 2-18 and 21 depending therefrom, are patentable over the art of record.

Claims 19 and 20 stand rejected under 35 USC § 103(a) as obvious over *Klein* in view of *Priven* in view of *Swartz* and in further view of *Panikatt* (US 6,349,333). Applicants respectfully submit that the prior art of record does not establish a *prima facie* case of obviousness as to claims 19 and 20. As noted previously, the combination of *Klein*, *Priven*, and *Swartz* is improper and/or does not teach or suggest each and every limitation of amended claim 1. Given that claims 19 and 20 depend from and incorporate the limitations of claim 1, the combination of *Klein*, *Priven*, *Swartz*, and *Panikatt*, even if proper, does not teach or suggest each and every limitation of claims 19 and 20 for the reasons set forth above. Furthermore, Applicants

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respectfully submit that the combination of four references stretches logical bounds in the context of the present application. More specifically, the Examiner must consider Applicants' claimed invention as a whole (see 35 USC §103), and upon doing so, it becomes evident that there is no teaching or suggestion as to all elements of the pending claims. Instead, the Examiner has strung together a chain of references having little to nothing in common. Applicants respectfully submit that the Examiner is impermissibly picking and choosing among the prior art rather than showing that the prior art teaches the claimed invention as a whole. Given that the combination of *Klein*, *Priven*, *Swartz*, and *Panikatt*, is improper or does not teach or suggest each and every limitation of claims 19 and 20, Applicants respectfully submit that claims 19 and 20 are likewise allowable over the prior art of record.

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CONCLUSION

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated February 10, 2005 has been fully addressed.

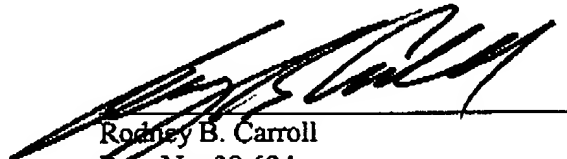
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If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

Date: 5-10-05

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